
By: **Prince George's County Delegation**
Introduced and read first time: February 8, 2002
Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County - Environment - Application of Sewage Sludge**
3 **PG 417-02**

4 FOR the purpose of establishing certain minimum buffers in Prince George's County
5 between an area where certain sewage sludge is applied and certain property;
6 prohibiting the reduction or waiver of certain minimum buffer distances in the
7 county; requiring the Maryland Department of the Environment and the Prince
8 George's County Department of Environmental Resources to establish certain
9 odor control requirements for the application of sewage sludge on certain land;
10 and generally relating to the application of sewage sludge in Prince George's
11 County.

12 BY repealing and reenacting, without amendments,
13 Article - Environment
14 Section 9-230
15 Annotated Code of Maryland
16 (1996 Replacement Volume and 2001 Supplement)

17 BY adding to
18 Article - Environment
19 Section 9-230.1
20 Annotated Code of Maryland
21 (1996 Replacement Volume and 2001 Supplement)

22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
23 MARYLAND, That the Laws of Maryland read as follows:

24 **Article - Environment**

25 9-230.

26 (a) (1) The Department of the Environment shall adopt regulations to carry
27 out this Part III of this subtitle.

1 (2) The Department of the Environment may not adopt a regulation or
2 part of a regulation that deals with the land application of sewage sludge without the
3 approval of the Department of Agriculture.

4 (b) In adopting regulations under this Part III and §§ 9-269 and 9-270 of this
5 subtitle, the Department of the Environment shall consider:

6 (1) Alternative utilization methods;

7 (2) Pathogen control;

8 (3) Advertising requirements for public hearings and public information
9 meetings;

10 (4) Performance bonds, liability insurance, or other forms of security;

11 (5) Procedures for notifying units of local government and other
12 interested parties; and

13 (6) Adequate standards for transporting sewage sludge, including
14 requirements for enclosing or covering sewage sludge during transportation.

15 (c) In addition to the considerations under subsection (b) of this section, in
16 adopting regulations for the land application of sewage sludge, the Department of the
17 Environment shall consider:

18 (1) Methods for calculating loading rates that:

19 (i) Will assure nondegradation of the groundwater supply; and

20 (ii) For agricultural land, shall be limited by the nutrient
21 requirements of crop or cover vegetation, as recommended by the Department of
22 Agriculture;

23 (2) The crops that are to be grown on land on which sewage sludge may
24 be applied;

25 (3) The nature of any nearby surface water or groundwater;

26 (4) The character of any affected area;

27 (5) The character of nearby existing or planned land uses and transport
28 routes;

29 (6) The nearness of the land on which sewage sludge may be applied to
30 sensitive areas, including flood plains, wetlands, and areas of critical concern;

31 (7) The definitions of:

32 (i) Sewage sludge that is unsuitable for application to agricultural
33 land;

- 1 (ii) Agricultural land;
- 2 (iii) Marginal land; and
- 3 (iv) Compost;
- 4 (8) Acceptable cumulative loading rates, including rates for nitrogen and
5 heavy metals;
- 6 (9) Special requirements of land used for producing tobacco; and
- 7 (10) Reasonable buffer areas to separate any home or other property from
8 land on which sewage sludge may be applied.
- 9 (d) (1) The Department shall adopt regulations to establish a mechanism for
10 determining annual generator's fees.
- 11 (2) The regulations shall provide for public input into the development of
12 fee schedules.
- 13 (3) The fee schedules shall take into account:
- 14 (i) The volume of sewage sludge generated by a sewage sludge
15 generator;
- 16 (ii) The method by which the sewage sludge is utilized;
- 17 (iii) The anticipated costs of monitoring and regulating sewage
18 sludge utilization sites;
- 19 (iv) The anticipated needs of the State's Sewage Sludge Regulation
20 Program; and
- 21 (v) The potential hazard of the sewage sludge generator's activities
22 to public health, safety, or welfare or to the environment.

23 9-230.1.

24 (A) THIS SECTION APPLIES ONLY IN PRINCE GEORGE'S COUNTY.

25 (B) (1) WITH RESPECT TO THE LAND APPLICATION OF SEWAGE SLUDGE IN
26 THE COUNTY, THERE ARE MINIMUM BUFFER AREAS OF:

27 (I) 500 FEET TO SEPARATE TREATED OR UNTREATED SEWAGE
28 SLUDGE FROM AN OCCUPIED OFF-SITE DWELLING; AND

29 (II) 100 FEET TO SEPARATE TREATED OR UNTREATED SEWAGE
30 SLUDGE FROM PROPERTY LINES.

31 (2) THE BUFFER DISTANCES ESTABLISHED UNDER THIS SECTION MAY
32 NOT BE REDUCED OR WAIVED.

1 (C) WITH RESPECT TO ODOR CONTROL REQUIREMENTS FOR THE
2 APPLICATION OF SEWAGE SLUDGE ON MARGINAL LAND IN THE COUNTY, THE
3 DEPARTMENT AND THE COUNTY DEPARTMENT OF ENVIRONMENTAL RESOURCES
4 SHALL:

5 (1) REQUIRE THAT APPLIED SEWAGE SLUDGE BE INCORPORATED INTO
6 THE LAND ON THE SAME DAY AS APPLICATION, BY DISCING OR ANOTHER METHOD;

7 (2) LIMIT THE AMOUNT OF SEWAGE SLUDGE THAT MAY BE APPLIED PER
8 ACRE AND PER PARCEL ON ANY GIVEN DAY;

9 (3) PROHIBIT THE APPLICATION OF SEWAGE SLUDGE IF WEATHER
10 THREATENS TO IMPEDE THE INCORPORATION OF SEWAGE SLUDGE INTO THE LAND
11 ON THE SAME DAY AS APPLICATION;

12 (4) ON THE BASIS OF ODORIFEROUS QUALITIES, LIMIT THE
13 COMPOSITION OF SEWAGE SLUDGE TO BE APPLIED; AND

14 (5) REQUIRE ANY OTHER NECESSARY ODOR CONTROL REQUIREMENTS.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2002.